

detailed projects as may be required for properly commemorating such battle fields or other adjacent points of historic and military interest.

SEC. 2. That on or before December 1, 1926, the Secretary of War shall submit through the President to Congress a preliminary plan by which the purpose of this Act can, in his opinion, be most economically carried out; and annually thereafter he shall submit through the President to Congress a detailed report of progress made under this Act together with his recommendations for further operations.

Preliminary plan to be submitted.

Annual detailed report of progress made.

SEC. 3. That the Secretary of War shall include annually in his War Department appropriation estimates a list of the battle fields for which surveys or other field investigations are planned for the fiscal year in question, together with the estimated cost of making each survey or other field investigation.

Estimates for surveys, etc.

SEC. 4. That hereafter no real estate shall be purchased for military park purposes by the Government unless report thereon shall have been made by the Secretary of War through the President to Congress under the provisions of this Act.

Restriction on purchases for military parks.

Approved, June 11, 1926.

CHAP. 556.—An Act To amend the Act entitled "An Act for the retirement of public-school teachers in the District of Columbia," approved January 15, 1920, and for other purposes.

June 11, 1926.

[H. R. 12266.]

[Public, No. 373.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act for the retirement of public-school teachers in the District of Columbia," approved January 15, 1920, be, and is hereby, amended to read as follows:

Public schools, District of Columbia.

Retirement of teachers.
Vol. 41, p. 387, amended.

"SECTION 1. That there shall be deducted and withheld from the annual salary of every teacher in the public schools of the District of Columbia an amount computed to the nearest tenth of a dollar that will be sufficient, with interest thereon at 4 per centum per annum, compounded annually, to purchase, under the provisions of this Act, an annuity equal to 1 per centum of his average annual salary received during the ten years immediately preceding retirement, for each year of his whole term of service rendered after June 30, 1926, payable monthly throughout life, for every such teacher who shall be retired, as herein provided.

Deduction from pay of teachers to provide annuity on retirement.

"The deductions herein provided for shall be based on such annuity table or tables as the Commissioners of the District of Columbia shall direct: *Provided, however,* That said deductions shall in no case exceed 8 per centum of his annual salary: *And provided further,* That when the annual salary exceeds \$2,000 the deductions and benefits shall be made as on an annual salary of \$2,000.

Percentage of average salary.

Basis of deductions.

Provisos.
Maximum.

Limited to annual pay of \$2,000.

"The Commissioners of the District of Columbia shall cause to be filed with the Board of Education on September 10 of each year a certificate showing the amount of deduction to be made from the salary of each teacher during the year, said deduction to be made in equal amounts, one to be deducted for each school month. A similar certificate shall be filed not later than the 15th day of each calendar month to cover cases of new entrants. No deduction shall be made from less than an entire month's salary.

Certificate of deduction for each year.

"SEC. 2. That the amount so deducted and withheld from the annual salary of every teacher shall be deposited in the Treasury of the United States and shall be credited, together with interest at 4 per centum per annum, compounded annually, to an individual

Deduction deposited to credit of the teacher.

Investment of fund.	account of the teacher from whose salary the deduction is made, which account shall be kept by the auditor of the District of Columbia. The fund thus created shall be held and invested by the Treasurer of the United States until paid out as hereinafter provided, and the income derived from such investments shall constitute a part of said fund for the purpose of carrying out the provisions of this Act.
Retirement age.	"SEC. 3. That any teacher who shall have reached the age of sixty-two may be retired by the Board of Education on its own motion, or shall be retired if application is made by the teacher. Any teacher who shall have reached the age of seventy shall be retired unless, in the judgment of two-thirds of the Board of Education, such teacher should be longer retained for the good of the service: <i>Provided</i> , That no sum shall be paid to any teacher upon his retirement under the provisions of this section unless he shall have been continuously employed as a teacher in the public schools of the District of Columbia from the time of his attainment of the age of fifty-two years.
<i>Proviso.</i> Continuous employment requirement.	
Retirement for disability after age of 45.	"SEC. 4. That any teacher who shall have reached the age of forty-five, and who shall have been continuously employed in the public schools of the District of Columbia for not less than ten years immediately prior to his retirement, or who shall have been continuously employed for not less than fifteen years prior to his retirement and who by reason of accident or illness not due to vicious habits has become physically or mentally disabled and incapable of satisfactorily performing the duties of his position, may be retired by the Board of Education under the provisions hereinafter stated: <i>Provided</i> , That absence of any teacher on authorized leave of absence without pay for a period not in excess of two years shall not constitute a break in continuous employment: <i>Provided further</i> , That no teacher shall be retired by the Board of Education under the provisions of this section until said teacher shall have been examined under the direction of the health officer of the District of Columbia, and as a result of said examination, in his judgment, or in the judgment of two-thirds of the members of the Board of Education, shall have been found to be physically or mentally incapacitated for efficient service.
<i>Provisos.</i> Leave of absence without pay.	
Medical examination required.	
Annuity allowance.	"SEC. 5. That following the passage of this Act, every teacher who shall be retired under the provisions of section 3 or section 4 hereof shall receive during the remainder of his life a combined annuity composed of (1) an annuity equal to 1 per centum of his average annual salary received during the ten years immediately preceding retirement for each year of his whole term of service after June 30, 1926; (2) a sum equal to 1 per centum of his average annual salary received during the ten years immediately preceding retirement for each year of his whole term of service prior to July 1, 1926, but not to exceed 40 years; and (3) an additional sum of \$15 for each year of said service, but in neither case to exceed forty years, such annuity to be fixed at the nearest multiple of 12 cents and to be payable monthly and to cease and determine at his death.
Salary basis after June 30, 1926.	
Prior to July 1, 1926.	
Additional sum.	
Credit for disability retirement.	"SEC. 6. That in calculating, as provided in section 5, the third part of the annuity of a teacher retired under the provisions of section 4 hereof, a minimum credit of twenty years shall be used in determining the sum allowable to a teacher with less than twenty years of service.
Longevity payable from District revenues.	"SEC. 7. That the second and third parts of the annuity provided for by section 5 hereof shall be paid by appropriations from the same fund as the current expenses of the District of Columbia are now paid or may hereafter be paid. The amount of each year's appropriation shall be calculated, on an actuarial basis, as a level
Calculation of each year's appropriation.	

percentage of the pay roll of all participants which shall be adequate to cover the liability normally accrued plus a further level percentage of the pay roll computed to be sufficient to liquidate, within a period of approximately thirty years after July 1, 1926, the amount of the accrued liability as of that date. The amount of the necessary appropriations shall be certified each year by the Commissioners of the District of Columbia to the Bureau of the Budget, and shall be transmitted by it to Congress.

Certification to Budget Bureau.

"The reserves created as the result of such annual appropriations shall be held by the Treasurer of the United States separate from the fund created by the contributions of the teachers, and the fund shall be credited with interest at 4 per centum per annum, compounded annually. The fund thus created shall be held and invested by the Treasurer of the United States until paid out as hereinafter provided, and the income derived from such investments shall constitute a part of said fund for the purpose of carrying out the provisions of this Act.

Separation of funds.

Investment, etc.

"SEC. 8. That in computing length of service of retiring teachers credit may be given, year for year, but not to exceed ten years, for public-school service or its equivalent outside the District of Columbia: *Provided*, That no credit for service outside of the public schools of the District of Columbia shall be given to any teacher entering the said public schools after June 30, 1926, until he shall have deposited to the credit of the teachers' retirement fund of the District of Columbia a sum equal to the contributions that would have been required of the teacher if such service had been rendered in the public schools of the District of Columbia, with interest thereon at 4 per centum per annum, compounded annually, said contributions to be based on the average annual salary of the class to which the teacher is appointed: *Provided further*, That when the average annual salary of the class exceeds \$2,000 the contributions shall be based on a salary of \$2,000: *Provided further*, That if the teacher so elects he may deposit the required sum in the fund in any number of monthly installments not exceeding one hundred, with interest at 4 per centum per annum, compounded annually: *And provided further*, That nothing contained herein shall be construed to repeal section 19 of said Act of January 15, 1920, nor to allow any teacher more than one year's credit for all services rendered in any one fiscal year.

Credit for outside school service.

Proviso.
Deposit required if entering after June 30, 1926.

Basis of \$2,000.

Installment deposits allowed.

Restrictions.
Vol. 41, p. 390.

"SEC. 9. That upon separation of any teacher from the service of the public schools of the District of Columbia, except for retirement under section 3 or section 4, he shall receive the amount of his deductions, together with the interest then credited thereon.

Refund on leaving service.

"No teacher who shall withdraw the amount of his deductions under this section shall, after reinstatement, be entitled to credit for previous service unless he shall deposit in the fund the amount so withdrawn by him: *Provided*, That the amount required to be so deposited may be paid by the teacher, if he so elects, in any number of monthly installments, not exceeding one hundred, with interest at 4 per centum, compounded annually, but no credit for previous service shall be given in any case of reinstatement where the teacher has been separated from teaching service in any public school system for more than five years.

Deposit of withdrawal if reinstated.

Proviso.
Installment deposits allowed.

No credit if separated from teaching more than five years.

"SEC. 10. That in case of the death of a teacher while in the service the amount of his deductions, together with the interest then credited thereon, as provided in section 2 hereof, shall be paid to his legal representatives.

Payment from fund if dying in service.

"In the case of the death of an annuitant no part of the deductions made from his salary, with the interest thereon to the credit of his account, shall be returned to his estate unless prior to his retirement

Annuitant dying before receiving amount deducted, etc.

Disposition of credit.

he shall have selected, under the provisions of such rules and regulations as the Commissioners of the District of Columbia shall prescribe, an annuity which shall carry with it a provision for the return of the unpaid principal or for the continuance of all or part of the annuity as a survivorship annuity.

Continuance in service deemed a consent to deductions.

"SEC. 11. That every teacher who shall continue in the service of the public schools of the District of Columbia after the passage of this Act, as well as every person who hereafter may be appointed to a position as teacher in the public schools of the District of Columbia, shall be deemed to consent and agree to the deductions made and provided for herein; and the salary, pay, or compensation, which may be paid monthly or at any other time, shall be full and complete discharge and acquittance of all claims and demands whatsoever for all services rendered by such teacher during the period covered by such payment, except his claim for the benefits to which he may be entitled under the provisions of this Act, notwithstanding the provisions of said Public Act Numbered 254, approved June 20, 1906, and of any other law, rule, or regulation affecting the salary, pay, or compensation of the teachers employed in the service of the public schools of the District of Columbia.

Vol. 34, p. 316.

Discharges not prevented.

"SEC. 12. That nothing in this Act shall be construed to prevent the discharge of any teacher at any time in the discretion of the Board of Education of the District of Columbia under the provisions of law.

Definitions.

"Teacher."

"SEC. 13. That the term 'teacher,' under this Act, shall include all teachers permanently employed by the Board of Education in the public day schools of the District of Columbia, including other educational employees whose salaries are established in the Act approved June 20, 1906, and Acts amendatory thereof, except the employees of the Community Center Department and the Department of School Attendance and Work Permits; the term 'annual salary' shall be construed to mean the total annual income received during the fiscal year for services rendered in the public day schools of the District of Columbia, including basic salary, longevity allowance, session room allowance, and increase of compensation (bonus); and whenever the pronoun 'his' occurs in this Act it shall be construed to mean both male and female teachers.

Exceptions.

"Annual salary."

"His."

Records, etc., to be kept by the Commissioners.

"SEC. 14. That the Commissioners of the District of Columbia shall prepare and keep all needful tables, records, and accounts required for carrying out the provisions of this Act. The records to be kept shall include data showing the mortality experience of the teachers in the service of the public schools of the District of Columbia and the rate of withdrawal from such service, and any other information pertaining to such service that may be of value and may serve as a guide for future valuations and adjustments of the plan for the retirement of teachers. The Commissioners of the District of Columbia shall make a detailed comparative report annually to Congress showing all receipts and disbursements under the provisions of this Act, together with the total number of persons receiving annuities and the amounts paid them. And the Commissioners of the District of Columbia shall have made each year after the passage of this Act an actuarial valuation of this retirement fund and the operation thereof, which shall show the financial condition of the fund, and shall report the findings of such investigations to Congress at the opening of the following session.

Annual report to Congress.

Valuation each year of retirement fund, etc.

Annual estimates.

"SEC. 15. That the Commissioners of the District of Columbia shall include in their annual estimates of appropriations a sum sufficient to carry out the provisions of this Act and Acts amendatory thereof. No officer or employee receiving a regular salary or

No extra pay for retirement services.

compensation from the Government shall receive any additional salary or compensation for any service rendered in connection with the system of retiring teachers provided for by this Act.

"SEC. 16. That the Commissioners of the District of Columbia are hereby authorized to perform, or cause to be performed, any or all acts and to make such rules and regulations as may be necessary and proper for the purpose of carrying the provisions of this Act into full force and effect.

Authority of Commissioners.

"SEC. 17. That none of the money mentioned in this Act shall be assignable, either in law or equity, or be subject to execution or levy by attachment, garnishment, or other legal process.

No assignment, attachment, etc.

"SEC. 18. That the provisions of this Act shall not apply to any teacher who receives an annuity from any State or municipality other than the District of Columbia.

Not applicable if receiving annuities elsewhere.

"SEC. 19. That the provisions of 'An Act for the retirement of public-school teachers in the District of Columbia,' approved January 15, 1920, and Acts amendatory thereof, shall apply to (A) all teachers who were on the rolls of the public schools of the District of Columbia for the month of June, 1926, if otherwise eligible; and (B) all teachers who, on June 30, 1926, were receiving an annuity under the provisions of said Act of January 15, 1920, and Acts amendatory thereof, the annuity to be paid each such teacher after June 30, 1926, to be computed in the manner provided herein: *Provided*, That nothing in this Act shall be construed to require a reduction in the amount of the annuity being paid to any teacher at the time this Act becomes effective."

Application of provisions of former Act. Vol. 41, p. 387.

SEC. 2. The amendments herein provided to "An Act for the retirement of public-school teachers in the District of Columbia," approved January 15, 1920, shall take effect July 1, 1926.

Proviso. No reduction of any present annuity.

Amendments effective July 1, 1926.

Approved, June 11, 1926.

CHAP. 557.—Joint Resolution Authorizing the Joint Committee on the Library to procure an oil portrait of the late President Warren G. Harding.

June 11, 1926.
[S. J. Res. 101.]
[Pub. Res., No. 35.]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Joint Committee on the Library is hereby authorized to procure an oil portrait of the late President Warren G. Harding for the Executive Mansion, at a cost not to exceed \$2,500.

Warren G. Harding. Portrait of late President, to be procured for Executive Mansion, D. C.

Approved, June 11, 1926.

CHAP. 562.—An Act To extend the time for constructing a bridge across the Ohio River between Vanderburg County, Indiana, and Henderson County, Kentucky.

June 12, 1926.
[H. R. 10352.]
[Public, No. 374.]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the times for commencing and completing the construction of a bridge authorized by Act of Congress approved June 7, 1924, to be built by the Commonwealth of Kentucky and the State of Indiana across the Ohio River from a point in Vanderburg County, Indiana, to a point in Henderson County, Kentucky, which have heretofore been extended by Act of Congress approved March 3, 1925, are hereby further extended one and three years, respectively, from the date of approval hereof, and subject to the conditions and limitations contained in this Act.

Ohio River. Time extended for bridging, by Kentucky and Indiana. Vol. 43, pp. 662, 1132, amended.

SEC. 2. The right to alter, amend, or repeal this Act is hereby expressly reserved.

Amendment.

Approved, June 12, 1926.